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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/516,607	05/17/2005	Steen Nielsen	02405.0248	7121
22852 75	90 12/12/2006		EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			NICHOLSON III, LESLIE AUGUST	
			ART UNIT	PAPER NUMBER
			3651	
			DATE MAIL ED: 12/12/2000	4

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	10/516,607	NIELSEN, STEEN
Office Action Summary	Examiner	Art Unit
	Leslie A. Nicholson III	3651
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period v - Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).
Status		
Responsive to communication(s) filed on <u>27 M</u> This action is FINAL . 2b) ☐ This Since this application is in condition for alloware closed in accordance with the practice under E	action is non-final. nce except for formal matters, pro	
Disposition of Claims		
4) Claim(s) 11-20 is/are pending in the application 4a) Of the above claim(s) is/are withdraw 5) Claim(s) is/are allowed. 6) Claim(s) 11-20 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/o	wn from consideration.	
9) The specification is objected to by the Examine	or .	
10)⊠ The drawing(s) filed on 12/3/2004 is/are: a)☐ Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11)☐ The oath or declaration is objected to by the Explanation is objected to by the Explanation is objected.	accepted or b) \boxtimes objected to by the drawing(s) be held in abeyance. Settion is required if the drawing(s) is obtained.	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).
Priority under 35 U.S.C. § 119		
 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Bureau * See the attached detailed Office action for a list 	s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).	ion No ed in this National Stage
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal F 6) Other:	ate

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 11-20 have been considered but are most in view of the new ground(s) of rejection.

The Examiner notes, however, that the apparatus claims (11-19) recite an intended use of the apparatus, namely for handling a piece of cloth with a straightened front edge. If the prior art structure is capable of performing the intended use, then it meets the claim.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "expanse of the separate guide means" (claim 19) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate

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changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim 11 is objected to because of a misspelling in line 3 of the claim. It appears as though the intended word should be "transversely". Appropriate correction is required.

Claim Rejections - 35 USC § 112

- 4. The following is a quotation of the first paragraph of 35 U.S.C. 112:
 - The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
- 5. Claim 19 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

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The disclosure does not describe the separate guide means in connection with each feed conveyor having an expanse in such a way as to provide enablement.

- 6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 7. Claims 14,15,18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 15 recites the limitation "each their securing means and guide" in lines 2-3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "the second turning device" in line 4 of the claim.

There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites an angle between the direction of the first feed conveyor and the direction of conveyance of the feeder, however claim 12 recites the feeder comprising the first feed conveyor (see line 6 of the claim). How is there an angle between the same object?

A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. See MPEP § 2173.05(c). Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "preferably" and then narrow language. The Board stated that this can render a claim indefinite by raising a

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question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 14 recites the broad recitation "between 190° and 260°", and the claim also recites "between 210° and 240°" which is the narrower statement of the range/limitation.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States
- 9. Claims 11-13,15,20 are rejected under 35 U.S.C. 102(b) as being anticipated by Branch USP 5,419,439.

Jensen discloses a device comprising:

- A boom comprising a boom conveyor (88,90)
- A feeder having a first feed conveyor (30)
- A first turning device (70) provided between the boom conveyor and the end of the feed conveyor opposite the feeding end

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 A second feed conveyor (260) located at the opposite end of the boom and a second turning device (212) provided between the boom conveyor and the second feed conveyor

- Wherein each turning device, and boom conveyor are independent units comprising each their securing means and guide (fig.1)
- 10. Claims 11-13,15-18,20 are rejected under 35 U.S.C. 102(b) as being anticipated by Mehrhoff GB 2219313.

Mehrhoff discloses a device comprising:

- A boom comprising a boom conveyor (50,50a) (fig.7,8)
- A feeder having a first feed conveyor (53)
- A first turning device (35,54) provided between the boom conveyor and the end
 of the feed conveyor opposite the feeding end
- A second feed conveyor (23) located at the opposite end of the boom
- Wherein each turning device, and boom conveyor are independent units comprising each their securing means and guide (fig.7)
- Each feed conveyor comprising two parallel conveyor belts (28,53) that run synchronously (fig.7)
- Each turning device comprises a pair of mutually independently operating squeezers (fig.7,9)
- The boom conveyor comprising a tilting squeezer device having one pair of squeezers (51,20)

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Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie A. Nicholson III whose telephone number is 571-272-5487. The examiner can normally be reached on M-F, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on 571-272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

L.N. 12/7/2006

SUPERVISORY PUTENT EXAMINER